

PATENT Customer No. 22,852 Attorney Docket No. 5725.0795-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re A	pplication of:	
Robert	to CAVAZZUTI et al.))
Applica	ation No.: 10/787,441) Group Art Unit: Not Yet Assigned
Filed:	February 27, 2004)) Examiner: Not Yet Assigned
	METHOD OF MAKING A MASCARA COMPOSITION-COMPRISING POLYAMIDE POLYMER AND AT LEAST ONE SOLID SUBSTANCE HAVING A MELTING POINT OF 45°C OR GREATER (AS AMENDED)))))

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Office the documents listed on the attached IDS Form PTO/SB/08. This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached, excluding any U.S. Patents, U.S. Patent Application Publications, and co-pending U.S. Patent Applications which are available in the Image File Wrapper System. Applicants have not included a copy of copending Application Nos. 10/993,430, 10/993,431, and 10/990,475 because they are

identical to their parent applications, copies of which are available in the Image File Wrapper System.

Further to the Notification of Pending Litigation filed July 23, 2004, Applicants submit two additional documents from the on-going litigation *L'Oreal S.A., et al. v. Estee Lauder Companies, Inc., et al.*, Civil Action No. 04-1660 (D.N.J.). The first document is a copy of the court docket. The second document is a copy of Estee Lauder's Response to Plaintiffs' First Set of Interrogatories (Nos. 1-6). Both of these documents are enclosed with this Supplemental Information Disclosure Statement and listed on the IDS Form PTO/SB/08.

As explained in Applicants' September 17, 2004, Information Disclosure Statement, the United States Court of Appeals for the Federal Circuit held in *Dayco Products, Inc. v. Total Containment, Inc.*, 329 F.3d 1358, 66 U.S.P.Q.2d 1801 (Fed. Cir. 2003) that an "adverse decision" by another examiner may meet the materiality standard under the amended Rule 56, and thus, Applicants should disclose prior rejections of "substantially similar claim[s]" to the Office. Accordingly, although Applicants are not representing that the office actions in the co-pending applications are material to the present application and are not admitting that any of the other claims are substantially similar, out of an abundance of caution, Applicants have listed substantive office actions from co-pending applications on the attached IDS Form PTO/SB/08 and have enclosed copies of the documents as well.

Applicants' representatives understand from the Examiner in other related copending applications that the Examiner considered references cited in the IDS Forms PTO/SB/08 filed, but that she had crossed through some of the citations and did not initial the entries to avoid the printing of the those documents on the face of any patent granted there from. In light of that Examiner's representations regarding the crossing-out of references in the related co-pending applications, Applicants will consider any entries crossed through by this Examiner as having been properly submitted and considered by the Examiner, <u>unless the Examiner specifically states otherwise in the papers returning the form</u>.

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Applicants respectfully request that the Office consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With regard to the non-English language document, Applicants note the following:

1. <u>JP 50/58242</u> – An abstract of the disclosure of this document can be found in the English language Derwent Abstract for JP 78 043577, which is submitted herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Office applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

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Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: March 18, 2005

Michelle E. O'Brien Reg. No. 46,203

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	31

		<u>/</u> U·	PE	
C	omplete if Known		4	1
Application Number	10/787,441	MAR 1	8 2005	"
Filing Date	February 27, 2004	1	ξ	7
First Named Inventor	Roberto CAVAZZUT	et al.	\$	_
Art Unit	1615	₹»		
Examiner Name	J. VENKAT	VAID.	EMB	
Attorney Docket Number	05725 0705 02000			

		U.S. PATENTS	AND PUBLISHE	ED U.S. PATENT APPLICAT	IONS
Examiner Initials	Cite No.	Document Number Number-Kind Code (if known)	lssue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		2,379,413	7/3/1945	Bradley	
		2,450,940	10/12/1948	Cowan et al.	
		2,662,068	12/8/1953	Floyd	
		2,663,649	12/22/1953	Winkler .	
		2,890,097	6/9/1959	Coe	
		2,962,461	11/29/1960	Toussaint et al.	
		3,086,914	4/23/1963	Soloway	
		3,141,787	7/21/1964	Goetze et al.	
		3,148,125	9/8/1964	Strianse et al.	_,,,
		3,156,572	11/10/1964	Carlick et al.	
		3,255,082	6/7/1966	Barton	
		3,341,465	9/12/1967	Kaufman et al.	
		3,412,115	11/19/1968	Floyd et al.	
		3,615,289	10/26/1971	Felton	
		3,645,705	2/29/1972	Miller et al.	
		3,778,394	12/11/1973	Lovald et al.	
	-	3,819,342	6/25/1974	Gunderman et al.	2
		3,857,960	12/31/1974	Mackles	
		3,926,655	12/16/1975	Miles	
		3,937,811	2/10/1976	Papantoniou et al.	
		3,969,087	7/13/1976	Saito et al.	
"		4,049,792	9/20/1977	Elsnau	
		4,051,159	9/27/1977	Tsoucalas et al.	
		4,062,819	12/13/1977	Mains et al.	M-V
		4,128,436	12/5/1978	O'Hara et al.	
		4,137,306	1/30/1979	Rubino et al.	
		4,150,002	4/17/1979	Drawert et al.	
		4,275,054	6/23/1981	Sebag et al.	

Examiner	Date	
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Complete if Known				
Application Number	10/787,441			
Filing Date	February 27, 2004			
First Named Inventor	Roberto CAVAZZUTI et al.			
Art Unit	1615			
Examiner Name	J. VENKAT			
Attorney Docket Number	05725.0795-02000			

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No.	Document Number Number-Kind Code (il known)	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		4,275,055	6/23/1981	Nachtigal et al.	
		4,278,658	7/14/1981	Hooper et al.	
		4,279,658	7/21/1981	Harvey et al.	
		4,337,298	6/29/1982	Karim et al.	
		4,341,671	7/27/1982	Bolze et al.	
		4,376,194	3/8/1983	Tanaka et al.	
		4,387,090	6/7/1983	Bolich, Jr.	
		4,438,240	3/20/1984	Tanaka et al.	
		4,466,936	8/21/1984	Schapel	
		4,536,405	8/20/1985	Nara et al.	
		4,552,693	11/12/1985	Hussain et al.	
		4,571,267	2/18/1986	Drawert et al.	
		4,620,492	11/4/1986	Vogg et al.	
		4,655,836	4/7/1987	Drawert et al.	
		4,663,428	5/5/1987	Okitu et al.	
		4,699,779	10/13/1987	Palinczar	
		4,712,571	12/15/1987	Remz et al.	
		4,769,285	9/6/1988	Rasmussen	
		4,806,338	2/21/1989	Smith	
	i	4,806,345	2/21/1989	Bhattacharyya	4
		4,820,765	4/11/1989	Whyzmuzis	
		4,871,536	10/3/1989	Arraudeau et al.	
		4,937,069	6/26/1990	Shin	
		4,952,245	8/28/1990	Iwano et al.	
		5,034,219	7/23/1991	Deshpande et al.	
		5,061,289	10/29/1991	Clausen et al.	
		5,069,897	12/3/1991	Orr	
		5,073,364	12/17/1991	Giezendanner et al.	

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		5,085,859	2/4/1992	Halloran et al.	
		5,102,656	4/7/1992	Kasat	
		5,186,318	2/16/1993	Oestreich et al.	
		5,196,260	3/23/1993	Dirshl et al.	
		5,223,559	6/29/1993	Arraudeau et al.	
		5,268,029	12/7/1993	Demangeon et al.	
		5,272,241	12/21/1993	Lucarelli et al.	
		5,302,398	4/12/1994	Egidio et al.	
		5,342,894	8/30/1994	Robeson et al.	
		5,362,482	11/8/1994	Yoneyama et al.	
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		5,389,363	2/14/1995	Snyder et al.	
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		5,486,431	1/23/1996	Tuttle et al.	
		5,489,431	2/6/1996	Ascione et al.	
		5,500,209	3/19/1996	Ross et al.	
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		5,510,452	4/23/1996	Santhanam	
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		5,538,718	. 7/23/1996	Aul et al.	
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		5,540,853	7/30/1996	Trinh et al.	
		5,603,925	2/18/1997	Ross et al.	
		5,610,199	3/11/1997	Cohen et al.	
		5,612,043	3/18/1997	Deprez et al.	
		5,616,331	4/1/1997	Allard et al.	
		5,618,523	4/8/1997	Zysman et al.	
	·	5,620,693	4/15/1997	Piot et al.	

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		5,628,029	12/7/1993	Demangeon et al.	
		5,645,632	7/8/1997	Pavlin	
		5,667,770	9/16/1997	Szweda et al.	
		5,679,357	10/21/1997	Dubief et al.	
		5,683,817	11/4/1997	Kenmochi	V
		5,719,255	2/17/1998	Heucher et al.	
		5,747,625	5/5/1998	Furukawa et al.	
		5,750,125	5/12/1998	Lahanas et al.	
		5,750,127	5/12/1998	Rokitowski	
		5,750,489	5/12/1998	Garcia et al.	
		5,769,902	6/23/1988	Samain	
		5,780,517	7/14/1998	Cohen et al.	
		5,783,657	7/21/1998	Pavlin et al.	
		5,800,816	9/1/1998	Brieva et al.	
		5,807,968	9/15/1998	Heinrich et al.	
		5,830,444	11/3/1998	Miguel	
		5,830,483	11/3/1998	Seidel et al.	
		5,837,223	11/17/1998	Barone et al.	, , , , , , , , , , , , , , , , , , , ,
		5,849,275	12/15/1998	Calello et al.	
		5,849,278	12/15/1998	Piot et al.	
		5,849,333	12/15/1998	Nordhauser et al.	
		5,851,517	12/22/1998	Mougin et al.	
		5,857,903	1/12/1999	Ramspeck et al.	
		5,858,338	1/12/1999	Piot et al.	
		5,866,149	2/2/1999	Piot et al.	
		5,871,764	2/16/1999	Diaz et al.	
		5,874,069	2/23/1999	Mendolia et al.	
		5,882,363	3/16/1999	Spaulding et al.	

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		5,891,424	4/6/1999	Bretzler et al.	<u> </u>
		5,897,869	4/27/1999	Roulier et al.	
		5,902,592	5/11/1999	Bara et al.	
	•	5,908,631	6/1/1999	Arnaud et al.	<u></u>
		5,911,974	6/15/1999	Brieva et al.	
		5,919,441	7/6/1999	Mendolia et al.	
		5,925,337	7/20/1999	Arraudeau et al.	
		5,945,095	8/31/1999	Mougin et al.	
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		5,959,009	9/28/1999	Konik et al.	
		5,961,998	10/5/1999	Arnaud et al.	
	-	5,965,112	10/12/1999	Brieva et al.	
		5,972,095	10/26/1999	Graves et al.	
		5,972,354	10/26/1999	de la Poterie et al.	
		5,972,359	10/26/1999	Sine et al.	
		5,976,514	11/2/1999	Guskey et al.	
**		5,981,680	11/9/1999	Petroff et al.	
		5,985,298	11/16/1999	Brieva et al.	
		5,998,570	12/7/1999	Pavlin et al.	<u> </u>
		6,001,980	12/14/1999	Borzo et al.	
		6,004,567	12/21/1999	Marchi-Lemann et al.	
		6,007,799	12/28/1999	Lee et al.	
		6,019,962	2/1/2000	Rabe et al.	
-		6,036,947	3/14/2000	Barone et al.	1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -
		6,045,782	4/4/2000	Krog et al.	
		6,045,823	4/4/2000	Vollhardt et al.	
		6,051,216	4/18/2000	Barr et al.	
		6,054,517	4/25/2000	Spaulding et al.	

Examiner	Date	
Signature	Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known				
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First Named Inventor	Roberto CAVAZZUTI et al.			
Art Unit	1615			
Examiner Name	J. VENKAT			
Attorney Docket Number	05725.0795-02000			

	U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS				
Examiner Initials	Cite No.	Document Number Number-Kind Code (if known)	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		6,060,072	5/9/2000	Konik et al.	
		6,063,398	5/16/2000	Gueret	
		6,066,328	5/23/2000	Ribier et al.	
		6,074,654	6/13/2000	Drechsler et al.	
		6,103,249	8/15/2000	Roulier et al.	
		6,106,820	8/22/2000	Morrissey et al.	<u> </u>
		6,111,055	8/29/2000	Berger et al.	
		6,156,325	12/5/2000	Farer et al.	
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		6,165,454	12/26/2000	Patel et al.	
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	······································	6,171,347	1/9/2001	Kunz	,
		6,177,523 B1	1/23/2001	Reich et al.	1-111-
		6,180,117 B1	1/30/2001	Berthiaume et al.	
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		6,221,389 B1	4/24/2001	Cannell et al.	
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Signature	 Considered	

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Sheet	7	of	31

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		6,268,466 B1	7/31/2001	MacQueen et al.	
		6,280,846 B1	8/28/2001	Darby et al.	
		6,287,552 B1	9/11/2001	Tournilhac et al.	
		6,325,994 B1	12/4/2001	Collin et al.	
		6,348,563 B1	2/19/2002	Fukuda et al.	
		6,372,235 B1	4/16/2002	Livoreil et al.	,
		6,376,078 B1	4/23/2002	Inokuchi	
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		6,479,686 B2	11/12/2002	Nakanishi et al.	
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	-	6,649,173 B1	11/18/2003	Arnaud et al.	,
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	-	Re. 29,871	12/26/1978	Papantoniou et al.	
		US 2001/0014312 A1	8/16/2001	Nakanishi et al.	
		US 2001/0014313 A1	8/16/2001	Roulier et al.	
		US 2001/0028887 A1	10/11/2001	Douin et al.	
		US 2001/0031280 A1	10/18/2001	Ferrari et al.	

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Sheet	8	of	31
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		US 2001/0033846 A1	10/25/2001	Roulier et al.	
		US 2002/0044918 A1	4/18/2002	Bara	
		US 2002/0058053	5/16/2002	Nakanishi et al.	
		US 2002/0081323	6/27/2002	Nakanishi et al.	
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		US 2002/0119171 A1	8/29/2002	Gruning et al.	
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First Named Inventor	Roberto CAVAZZUTI et al.			
Art Unit	1615			
Examiner Name	J. VENKAT			
Attorney Docket Number	05725.0795-02000			

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		Co-Pending Application No. 10/046,568; Attorney Docket No. 5725.1018-00-000 Title: NAIL POLISH COMPOSITION COMPRISING A POLYMER U.S. Filing Date: January 16, 2002	
		Co-Pending Application No. 10/047,987, Attorney Docket No. 5725.1020-00-000 Title: COSMETIC COMPOSITION CONTAINING A POLYMER AND A FLUORO OIL U.S. Filing Date: January 17, 2002	
		Co-Pending Application No. 10/129,377; Attorney Docket No. 5725.0819-01-000 Title: COMPOSITIONS STRUCTURED WITH A POLYMER CONTAINING A HETEROATOM AND AN ORGANOGELATOR U.S. Filing Date: May 3, 2002	
		Co-Pending Application No. 10/182,830; Attorney Docket No. 05725.0795-01 Title: COSMETIC COMPOSITION COMPRISING HETERO POLYMERS AND A SOLID SUBSTANCE AND METHOD OF USING SAME U.S. Filing Date: August 2, 2002	
		Co-Pending Application No. 10/198,931, Attorney Docket No. 5725.0896-00-000 Title: COMPOSITIONS COMPRISING AT LEAST ONE HETEROPOLYMER AND FIBERS, AND METHODS OF USING THE SAME U.S. Filing Date: July 22, 2002	
		Co-Pending Application No. 10/203,018; Attorney Docket No. 05725.0816-01 Title: COMPOSITION COMPRISING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE INERT FILLER AND METHODS FOR USE U.S. Filing Date: August 5, 2002	
		Co-Pending Application No. 10/203,254; Attorney Docket No. 05725.0817-01 Title: COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETEROPOLYMER AND AT LEAST ONE GELLING AGENT AND METHODS OF USING THE SAME U.S. Filing Date: August 7, 2002	
		Co-Pending Application No. 10/203,374, Attorney Docket No. 6028.0019-00-000 Title: METHOD FOR MAKING A COLOURED MAKE-UP COSMETIC COMPOSITION WITH CONTROLLED TRANSMITTANCE U.S. Filing Date: August 9, 2002	
		Co-Pending Application No. 10/203,375, Attorney Docket No. 6028.0018-00-000 Title: TRANSPARENT OR TRANSLUCENT COLORED COSMETIC COMPOSITION U.S. Filing Date: August 9, 2002	
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Signature	Considered	

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Filing Date	February 27, 2004	
First Named Inventor	Roberto CAVAZZUTI et al.	
Art Unit	1615	
Examiner Name	J. VENKAT	
Attorney Docket Number	05725.0795-02000	

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation	
		Co-Pending Application No. 10/413,217, Attorney Docket No. 5725.0895-01000 Title: METHODS OF DISPERSING AT LEAST ONE COLORING AGENT USING AT LEAST ONE HETEROPOLYMER U.S. Filing Date: April 15, 2003		
		Co-Pending Application No. 10/450,108, Attorney Docket No. 5725.1198-00-000 Title: COSMETIC COMPOSITION COMPRISING A POLYMER AND FIBRES U.S. Filing Date: June 11, 2003		
		Co-Pending Application No. 10/459,636, Attorney Docket No. 5725.1336-00-000 Title: COSMETIC EMULSIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE SUNSCREEN AND METHODS OF USING THE SAME U.S. Filing Date: June 12, 2003		
		Co-Pending Application No. 10/466,166, Attorney Docket No. 5725.1228-00-000 Title: COSMETIC COMPOSITION COMPRISING A MIXTURE OF POLYMERS U.S. Filing Date: July 14, 2003		
		Co-Pending Application No. 10/618,315, Attorney Docket No. 5725.1337-00-000 Title: COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE POWDER AND SWELLING AGENT U.S. Filing Date: July 11, 2003		
		Co-Pending Application No. 10/699,780, Attorney Docket No. 5725.0895-02 Title: METHODS OF DISPERSING AT LEAST ONE COLORING AGENT USING AT LEAST ONE HETEROPOLYMER U.S. Filing Date: November 4, 2003		
		Co-Pending Application No. 10/746,612, Attorney Docket No. 5725.1338-01-000 Title: COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE POWDER AND SWELLING AGENT U.S. Filing Date: December 22, 2003		
		Co-Pending Application No. 10/747,412, Attorney Docket No. 5725.1338-02-000 Title: COSMETIC EMULSIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE SUNSCREEN AND METHODS OF USING THE SAME U.S. Filing Date: December 22, 2003		
		Co-Pending Application No. 10/787,440, Attorney Docket No. 5725.0816-02-000 Title: COMPOSTITION COMPRISING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE INERT FILLER AND METHODS FOR USE U.S. Filing Date: February 27, 2004		
		Co-Pending Application No. 10/787,441, Attorney Docket No. 5725.0795-02-000 Title: COSMETIC COMPOSITION COMPRISING HETERO POLYMERS AND A SOLID SUBSTANCE AND METHOD OF USING SAME U.S. Filing Date: February 27, 2004		
		Co-Pending Application No. 10/918,579, Attorney Docket No. 05725.0808-02 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND OILSOLUBLE ESTERS AND METHODS OF USING SAME U.S. Filing Date: August 16, 2004.		
		Co-Pending Application No. 10/933,430, Attorney Docket No. 05725.1003-01 Title: COSMETIC COMPOSITION COMPRISING A POLYMER BLEND U.S. Filing Date: November 22, 2004		

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Application Number	10/787,441	
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First Named Inventor	Roberto CAVAZZUTI et al.	
Art Unit	1615	
Examiner Name	J. VENKAT	
Attorney Docket Number	05725.0795-02000	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		Co-Pending Application No. 10/933,431, Attorney Docket No. 05725.0932-01 Title: A TRANSFER-FREE COMPOSITION STRUCTURED IN RIGID FORM BY A POLYMER U.S. Filing Date: November 22, 2004	
		Co-Pending Application No. 10/990,475, Attorney Docket No. 05725.1004-01 Title: USE OF A POLYMER FOR OBTAINING AN EXPRESS MAKE-UP OF KERATIN MATERIALS U.S. Filing Date: November 18, 2004	
		Co-Pending Application No. 11/019,382, Attorney Docket No. 05725.1378 Title: COSMETIC COMPOSITION COMPRISING TWO DIFFERENT HETERO POLYMERS AND METHOD OF USING SAME U.S. Filing Date: December 23, 2004	
		English language abstract of JP 53/043577 from Patent Abstracts of Japan	
-		English language abstract of JP 56/123909 from Patent Abstracts of Japan	***********
		English language abstract of JP 56/166276 from Patent Abstracts of Japan	
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	•	English language DERWENT abstract of DE 195 43 988 A1	
		English language DERWENT abstract of DE 197 07 309 A1	Property and Associated
		English language DERWENT abstract of DE 197 50 246 A1	
	_	English language DERWENT abstract of DE 199 51 010 A1	
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		English language DERWENT abstract of DE 38 43 892 A1	
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		English language DERWENT abstract of DE 42 34 886 A1	
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ĺ		English language DERWENT abstract of EP 0 887 073 A1	
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		English language DERWENT abstract of FR 2 674 126	
		English language DERWENT abstract of FR 2 785 179	
		English language DERWENT abstract of FR 2 796 270	
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		English language DERWENT abstract of FR 2 796 272	
		English language DERWENT abstract of FR 2 796 273	
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		English language DERWENT abstract of FR 2 802 806	
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Initials	No.	(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-is publisher, city and/or country where published.	ssue number(s),	Translation
		English language DERWENT abstract of JP 2000038314 A		
		English language DERWENT abstract of JP 2000038316 A and JP 200	00038317 A	
		English language DERWENT abstract of JP 2000038321 A		
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		English language DERWENT abstract of JP 61065809		
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		English language DERWENT abstract of JP 7179795	· · · · · · · · · · · · · · · · · · ·	
		English language DERWENT abstract of JP 7267827	*	
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		English language DERWENT abstract of JP 9295922		
		English language DERWENT abstract of WO 01/97773		
		English language DERWENT abstract of WO 02/056847	***************************************	
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		English language DERWENT abstract of WO 02/47629		
	-	English language DERWENT abstract of WO 02/47630		
		English language DERWENT abstract of WO 86/04916		
		Estee Lauder MagnaScopic Maximum Volume mascara product pack to have first been sold in 2003	aging, believed	
		Estee Lauder's Response to Plaintiff's First Set of Interrogatories (Nos September 27, 2004, in the on-going litigation L'Oreal S.A., et al. v. Th Companies Inc., et al., Civil Action No. 04-1660 (D.N.J.)		
		French Search Report in FR 0000920 (priority document for PCT/FR0 is the priority document for Atty. Docket No. 5725.0932), dated Novem		
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Examiner Signature		Date Considered		

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Art Unit	1615	
Examiner Name	J. VENKAT	
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		NON PATENT LITERATURE DOCUMENTS	
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		French Search Report in FR 0008084 (priority document for Atty. Docket No. 5725.1187), dated March 28, 2001	
		French Search Report in FR 0008913 (priority document for Atty. Docket No. 5725.0920), dated March 20, 2001	
		French Search Report in FR 0016161 (priority document for Atty. Docket No. 5725.1003), dated September 6, 2001	
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		French Search Report in FR 0016180 (priority document for Atty. Docket No. 6028.0019), dated October 16, 2001	
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		Handbook of Cosmetic Science and Tech. Elsevier Advanced Tech., 1st Edition (1994), pp. 1-32	
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Examiner	Date	
Signature	Considered	

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		International Search Report in PCT/FR01/03939 (priority document for FR 0016164, which is the priority document for Atty. Docket No. 5725.1003), dated April 15, 2002	
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		International Search Report in PCT/IB00/02006 (Atty. Docket No. 5725.0817-00304), dated August 8, 2001	
		International Search Report in PCT/IB01/02780 (Atty. Docket No. 5725.0819-01304), dated October 4, 2002	
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Art Unit	1615			
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Examiner Initials	nitials No. (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
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		Office Action in co-pending Application No. 09/618,066 (Attorney Docket No. 05725.0656-00) dated November 19, 2003 (Ex. Sheikh)			
		Office Action in co-pending Application No. 09/685,577 (Attorney Docket No. 05725.0656-01) dated August 11, 2004 (Ex. Venkat)			
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	_	Office Action in co-pending Application No. 09/685,577 (Attorney Docket No. 05725.0656-01) dated July 16, 2003 (Ex. Sheikh)			
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		Office Action in co-pending Application No. 09/685,578 (Attorney Docket No. 05725.0659-01) dated August 11, 2004 (Ex. Pryor)			
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Attorney Docket Number	05725.0795-02000			

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		Office Action in co-pending Application No. 09/685,578 (Attorney Docket No. 05725.0659-01) dated November 19, 2003 (Ex. Pryor)	
		Office Action in co-pending Application No. 09/733,896 (Attorney Docket No. 05725.0806) dated January 28, 2003 (Ex. Rajguru)	
		Office Action in co-pending Application No. 09/733,896 (Attorney Docket No. 05725.0806) dated July 19, 2002 (Ex. Rajguru)	
		Office Action in co-pending Application No. 09/733,896 (Attorney Docket No. 05725.0806) dated November 18, 2003 (Ex. Rajguru)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated April 15, 2002 (Ex. Berman)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated April 23, 2003 (Ex. Wells)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated August 29, 2002 (Ex. Berman)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated May 6, 2004 (Ex. Yu)	
		Office Action in co-pending Application No. 09/733,898 (Attorney Docket No. 05725.0808) dated April 29, 2003 (Ex. Yoon)	
		Office Action in co-pending Application No. 09/733,898 (Attorney Docket No. 05725.0808) dated August 28, 2002 (Ex. Yoon)	
		Office Action in co-pending Application No. 09/733,898 (Attorney Docket No. 05725.0808) dated December 23, 2003 (Ex. Yoon)	
		Office Action in co-pending Application No. 09/733,899 (Attorney Docket No. 05725.0594) dated April 7, 2004 (Ex. Lamm)	
		Office Action in co-pending Application No. 09/733,899 (Attorney Docket No. 05725.0594) dated April 9, 2003 (Ex. Lamm)	
		Office Action in co-pending Application No. 09/733,899 (Attorney Docket No. 05725.0594) dated September 22, 2004 (Ex. Venkat)	
	-	Office Action in co-pending Application No. 09/733,900 (Attorney Docket No. 05725.0595) dated April 7, 2004 (Ex. Lamm)	
		Office Action in co-pending Application No. 09/733,900 (Attorney Docket No. 05725.0595) dated December 1, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 09/733,900 (Attorney Docket No. 05725.0595) dated July 16, 2003 (Ex. Lamm)	
		Office Action in co-pending Application No. 09/749,036 (Attorney Docket No. 05725.0832) dated August 13, 2003 (Ex. Howard)	

Examiner	Date	
Signature	Considered	

Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known			
Application Number	10/787,441		
Filing Date	February 27, 2004		
First Named Inventor	Roberto CAVAZZUTI et al.		
Art Unit	1615		
Examiner Name	J. VENKAT		
Attorney Docket Number	05725.0795-02000		

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		Office Action in co-pending Application No. 09/749,036 (Attorney Docket No. 05725.0832) dated July 16, 2002 (Ex. Howard)	
		Office Action in co-pending Application No. 09/749,036 (Attorney Docket No. 05725.0832) dated May 5, 2004 (Ex. Howard)	
		Office Action in co-pending Application No. 09/899,909 (Attorney Docket No. 05725.0920) dated December 18, 2001 (Ex. Dodson)	
		Office Action in co-pending Application No. 09/937,314 (Attorney Docket No. 05725.0932) dated May 19, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 09/971,028 (Attorney Docket No. 05725.0895-00) dated August 11, 2003 (Ex. Wang)	
		Office Action in co-pending Application No. 09/971,028 (Attorney Docket No. 05725.0895-00) dated March 26, 2003 (Ex. Wang)	
		Office Action in co-pending Application No. 10/012,029 (Attorney Docket No. 05725.1003) dated November 20, 2002 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,029 (Attorney Docket No. 05725.1003) dated September 08, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,051 (Attorney Docket No. 05725.1004) dated January 14, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,051 (Attorney Docket No. 05725.1004) dated May 14, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,051 (Attorney Docket No. 05725.1004) dated October 3, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,052 (Attorney Docket No. 05725.1005) dated November 6, 2003 (Ex. Wells)	
		Office Action in co-pending Application No. 10/012,052 (Attorney Docket No. 05725.1005-00) dated August 9, 2004 (Ex. Wells)	
		Office Action in co-pending Application No. 10/046,568 (Attorney Docket No. 05725.1018) dated December 30, 2003 (Ex. Venkat)	
	· · · · · · · · · · · · · · · · · · ·	Office Action in co-pending Application No. 10/046,568 (Attorney Docket No. 05725.1018) dated June 12, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/046,568 (Attorney Docket No. 05725.1018) dated November 5, 2002 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/046,568 (Attorney Docket No. 05725.1018) dated September 22, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/047,987 (Attorney Docket No. 05725.1020) dated December 11, 2003 (Ex. Venkat)	

Examiner		Date	
Signature	 _	 Considered	_

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		Office Action in co-pending Application No. 10/047,987 (Attorney Docket No. 05725.1020-00) dated September 7, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/182,830 (Attorney Docket No. 05725.1073-00) dated August 24, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/198,931 (Attorney Docket No. 05725.0896) dated December 18, 2003 (Ex. Venkat)	
	-	Office Action in co-pending Application No. 10/198,931 (Attorney Docket No. 05725.0896-00) dated September 1, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/203,018 (Attorney Docket No. 05725.0816-01) dated May 19, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/312,083 (Attorney Docket No. 05725.1187) dated October 1, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/413,217 (Attorney Docket No. 05725.0895-01) dated September 9, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/699,780 (Attorney Docket No. 05725.0895-02) dated September 22, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/746,612 (Attorney Docket No. 05715.1338-01) dated September 20, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/787,440 (Attorney Docket No. 05725.0816-02) dated August 24, 2004 (Ex. Venkat)	
		Origins Full StoryTM Lush lash mascara product packaging, believed to have first been sold in 2003	
		P. Terech, "Low-Molecular Weight Organogelators," in Specialist Surfactants, ch. 8, pp. 208-268 (I.D. Robb, ed., 1997)	
		Partial International Search Report in PCT/US 01/47497 (Atty. Docket No. 5725.0808-0304), dated November 15, 2002	
		PCT Application No. PCT/FR01/03962; Attorney Docket No. 5725.0816-01-0304 Title: COMPOSITION COMPRISING AT LEAST ONE HETEROPOLYMER AND AT LEAST ONE INERT FILLER AND METHODS FOR USE Inventors: Véronique FERRARI et al. International Filing Date: December 12, 2001	
		PCT Application No. PCT/FR01/03963; Attorney Docket No. 5725.0817-01-0304 Title: COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETEROPOLYMER AND AT LEAST ONE GELLING AGENT AND METHODS OF USING THE SAME Inventor: Véronique FERRARI International Filing Date: December 12, 2001	
		PCT Application No. PCT/FR01/03965; Attorney Docket No. 5725.0795-01-304 Title COSMETIC COMPOSITION COMPRISING HETERO POLYMERS AND A SOLID SUBSTANCE AND METHOD OF USING SAME Inventors: Roberto CAVAZZUTI et al. International Filing Date: December 12, 2001	

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Signature		Considered	

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		PCT Application No. PCT/IB00/02000; Attorney Docket No. 5725.0816-0304 Title: COMPOSITION COMPRISING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE INERT FILLER AND METHODS FOR USE Inventors: Véronique FERRARI et al. International Filing Date: December 12,2000	
		PCT Application No. PCT/IB00/02006; Attorney Docket No. 5725.0817-0304 Title: COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETEROPOLYMER AND AT LEAST ONE GELLING AGENT AND METHODS OF USING THE SAME Inventor: Véronique FERRARI International Filing Date: December 12, 2000	
		PCT Application No. PCT/IB01/02780; Attorney Docket No. 5725.0819-01-304 Title:COMPOSITION STRUCTURED WITH A POLYMER CONTAINING A HETEROATOM ORGANOGELATOR International Filing Date: December 12, 2001	
		PCT Application No. PCT/US00/33596; Attorney Docket No. 5725.0795-0304 Title COSMETIC COMPOSITION COMPRISING HETERO POLYMERS AND A SOLID SUBSTANCE AND METHOD OF USING SAME Inventors: Roberto CAVAZZUTI et al. International Filing Date: December 12, 2000	
		PCT Application No. PCT/US01/47454; Attorney Docket No. 5725.0806-0304 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE POLYMERS AND METHODS OF USING SAME Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2001	
		PCT Application No. PCT/US01/47459; Attorney Docket No. 5725.0594-0304 Title: COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE FILM-FORMING SILICONE RESIN AND METHODS OF USING Inventors: Mohamed KANJI et al. U.S. Filing Date:December 12, 2001	
		PCT Application No. PCT/US01/47496; Attorney Docket No. 5725.0809-0304 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND METHODS OF USING SAME Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2001	
		PCT Application No. PCT/US01/47497; Attorney Docket No. 5725.0808-0304 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE ESTERS AND METHODS OF USING SAME Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2001	
		PCT Application No. PCT/US01/47499; Attorney Docket No. 5725.0595-00-304 Title: COSMETIC COMPOSITIONS CONTAINING HETEROPOLYMERS AND OILSOLUBLE CATIONIC SURFACTANTS AND METHODS OF USING SAME Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2001	

Examiner	 Date	
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Sheet	31	of	31
			

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		PCT Application No. PCT/US03/41618; Attorney Docket No. 5725.1338-00-304 Title: COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE POWDER AND SWELLING AGENT Inventors: Shao Xiang LU, Terry VAN LIEW, Nathalie GEFFROY-HYLAND International Filing Date: December 22, 2003				
		PCT Application No. PCT/US04/01071; Attorney Docket No. 5725.1335-00-304 Title: LONG WEAR COSMETIC COMPOSITION Inventor: Balanda ATIS International Filing Date: January 16, 2004				
		Toshimi Shimizu et al., Stereochemical Effect of Even-Odd Connecting Links on Supramolecular Assemblies Made of 1-Glucosamide Bolaamphiphiles, J. Am Chem. Soc. 1997, 119, 2812-2818				
		U.S. District Court for the District of New Jersey Civil Docket for L'Oreal S.A. et al. v. Estee Lauder Companies, Inc., et al., Civ. No. 04-1660 (HAA) (filed April 4, 2004) (retrieved January 2, 2005)				
		Xuzhong Luo et al., Self-assembled organogels formed by monoalkyl derivatives of oxamide, 2000 Chem. Commun. 2091-92				
		Yasuda et al., Novel Low-molecular-weight Organic Gels: N,N', N"- Tristearyltrimesamide/Organic Solvent System," Chemistry Letters, pp. 575-576, 1996, the month of publication is not available				

Examiner		Date	
Signature		Considered	